

Carver County, MN Code of Ordinances

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Section

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BUILDING CODE

§ 150.01 STATE BUILDING CODE ADOPTED.

(A) The Minnesota State Building Code, established pursuant to M.S. §§ 16B.59 to 16B.75, as amended from time to time, is hereby adopted as the building code (hereinafter "code") for the county. The Minnesota State Building Code is hereby incorporated in this subchapter as if fully set out herein.

(B) The Minnesota State Building Code includes the following chapters of Minnesota Rules as may be amended from time to time, which are also incorporated in this subchapter as if fully set out herein:

- (1) 1300 – Administration of the *Minnesota State Building Code*;
- (2) 1301 – Building Official Certification;
- (3) 1302 – State Building Construction Approvals;
- (4) 1303 – Minnesota Provisions;
- (5) 1305 – Adoption of the *2000 International Building Code*;
- (6) 1307 – Elevators and Related Devices;
- (7) 1309 – Adoption of the *2000 International Residential Code*;
- (8) 1311 – Adoption of the *2000 Guidelines for the Rehabilitation of Existing Building*;
- (9) 1315 – Adoption of the *2002 National Electrical Code*;
- (10) 1325 – Solar Energy Systems;
- (11) 1330 – Fallout Shelters;
- (12) 1341 – *Minnesota Accessibility Code*;
- (13) 1346 – Adoption of the *Minnesota State Mechanical Code*;
- (14) 1350 – Manufactured Homes;
- (15) 1360 – Prefabricated Structures;
- (16) 1361 – Industrialized/Modular Buildings;
- (17) 1370 – Storm Shelters (Manufactured Home Parks);
- (18) 4715 – Minnesota Plumbing Code. Commercial plumbing permits. Prior to installation of a system of plumbing other than for a single-family dwelling, with independent plumbing

service, complete plumbing plans and specifications, together with any additional information that the Building Official may require, shall be submitted in triplicate and approved by the Building Official. No construction shall proceed except in accordance with the approved plans. Any alteration or extension of any existing plumbing system shall be subject to these same requirements;

(19) 7670, 7672, 7674, 7676, and 7678, *Minnesota Energy Code*.

(Ord. 52, passed 11-25-03; Am. Ord. 63-2008, passed 2-26-08)

§ 150.02 APPLICATION, ADMINISTRATION, AND ENFORCEMENT.

This code shall be effect in the unincorporated areas of the county. The Land & Water Services Division shall be the Building Code Department of the county. This code shall be enforced by a Minnesota Certified Building Official designated by the county to administer the code.

(Ord. 52, passed 11-25-03; Am. Ord. 62-2007, passed 12-11-07)

§ 150.03 FEES.

The issuance of permits and the collection of fees shall be as follows.

(A) Fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the county. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code.

(B) An investigation fee, in addition to the permit fee, shall be collected whenever any work for which a permit is required by this code has been commenced without first obtaining the permit. The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(C) A reinspection fee may be assessed in the following situations:

(1) For each reinspection when the portion of work for which inspection is called is not complete;

(2) When corrections called for are not made;

(3) When the inspection record card is not readily available at the time of inspection;

(4) Approved plans are not readily available;

(5) Failure to provide access on the date for which inspection is requested;

(6) Deviating from plans requiring the approval of the building official.

(D) Fee refunds may be authorized by the Building Official of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment. All plan review fees shall be paid by the applicant whether the project is to be completed or not.

(Ord. 52, passed 11-25-03)

§ 150.04 VIOLATIONS AND PENALTIES.

(A) Any person, firm, or corporation who shall violate any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions of this code shall be guilty of a misdemeanor. Each day that the violation continues shall constitute a separate offense.

(B) Injunctive relief and other remedies. In the event of a violation or threat of a violation of this code, the county may institute appropriate actions or proceedings, including injunctive relief, to prevent, restrain, correct, or abate such violations or threat of violations.

(Ord. 52, passed 11-25-03)

§ 150.05 SEPARABILITY; SUPREMACY.

(A) *Separability.* Every section, provision, or part of this subchapter or any permit issued pursuant to this subchapter is declared separable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this subchapter or any permit issued pursuant to this subchapter shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

(B) *Supremacy.* When any condition imposed by any provision of this subchapter on the use of land or building or on the bulk of buildings is either more restrictive or less restrictive than similar conditions imposed by any provision of any other community ordinance or regulation, the more restrictive conditions shall prevail.

(Ord. 52, passed 11-25-03)

CONVEYANCE OF TITLES

§ 150.30 PURPOSE.

The county has adopted rules by which it regulates the platting or subdivision of lands outside of municipalities as authorized by M.S. § 505.11, as it may be amended from time to time. The purpose of this subchapter is to facilitate the uniform application and enforcement of the regulations and is adopted pursuant to the authority granted by state law.

(Ord. 6, passed 5-16-89; Am. Ord. 6A, passed 5-16-89)

§ 150.31 INSTRUMENTS REQUIRING APPROVAL.

All instruments by which the legal title to real estate situated in the county is conveyed from one owner to a new owner shall be submitted to the Zoning Officer before the same is recorded in the Office of the County Recorder.

(Ord. 6, passed 5-16-89; Am. Ord. 6A, passed 5-16-89)

§ 150.32 PROCEDURE.

(A) The Zoning Officer shall examine all instruments to determine that the proposed conveyance complies with county regulations, as the same may be amended from time to time. If the Zoning Officer is satisfied that the proposed conveyance complies with the regulations, he or she shall affix his or her stamp to the deed, which stamp shall be in the following form: "I certify that this instrument complies with Carver County Ordinance No. 33 and is eligible for recording or registration."

(B) If the Zoning Officer shall have any doubt concerning any proposed conveyance, he or she shall refer the same to the County Surveyor and shall not approve the same for recording or registration until the instrument has also been approved by the County Surveyor.

(Ord. 6, passed 5-16-89; Am. Ord. 6A, passed 5-16-89)

§ 150.33 RECORDING PROHIBITED.

The County Recorder shall not record or register any of the instruments referred to in § 150.31 until the instrument has been approved for recording or registration by the Zoning Officer.

(Ord. 6, passed 5-16-89; Am. Ord. 6A, passed 5-16-89)

§ 150.34 EXCLUSIONS.

(A) Real estate mortgages and leases for a period of 20 years or less shall not require approval prior to recording.

(B) Contracts for deed and other executory contracts for the sale of land shall be deemed an instrument of conveyance hereunder.

(Ord. 6, passed 5-16-89; Am. Ord. 6A, passed 5-16-89)

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